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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/967,052	09/28/2001	Kenneth L. Oakeson	10010793-1	4826

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EXAMINER
CHANG, JUNGWON

ART UNIT	PAPER NUMBER
2154	

DATE MAILED: 08/11/2006

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary	Application N .	Applicant(s)	
	09/967,052	OAKESON ET AL.	
	Examin r	Art Unit	
	Jungwon Chang	2154	

-- The MAILING DATE of this communicati n appears n the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

1)☒ Responsive to communication(s) filed on *22 May 2006*.

2a)☐ This action is **FINAL**. 2b)☒ This action is non-final.

3)☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

4)☒ Claim(s) *1-11 and 18-23* is/are pending in the application.

4a) Of the above claim(s) _____ is/are withdrawn from consideration.

5)☐ Claim(s) _____ is/are allowed.

6)☒ Claim(s) *1-11 and 18-23* is/are rejected.

7)☐ Claim(s) _____ is/are objected to.

8)☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

9)☐ The specification is objected to by the Examiner.

10)☐ The drawing(s) filed on _____ is/are: a)☐ accepted or b)☐ objected to by the Examiner.

Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).

Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).

11)☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

12)☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).

a)☐ All b)☐ Some * c)☐ None of:

1.☐ Certified copies of the priority documents have been received.

2.☐ Certified copies of the priority documents have been received in Application No. _____.

3.☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

1) ☒ Notice of References Cited (PTO-892)
2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08) Paper No(s)/Mail Date _____.
4) ☐ Interview Summary (PTO-413) Paper No(s)/Mail Date. _____ .
5) ☐ Notice of Informal Patent Application (PTO-152)
6) ☐ Other: _____.

DETAILED ACTION

1. A request for continued examination under 37 CFR 1.114, including the fee set forth in 37 CFR 1.17(e), was filed in this application after final rejection. Since this application is eligible for continued examination under 37 CFR 1.114, and the fee set forth in 37 CFR 1.17(e) has been timely paid, the finality of the previous Office action has been withdrawn pursuant to 37 CFR 1.114. Applicant's submission filed on 5/22/06 has been entered.

2. Claims 12-17, 24 and 25 have been canceled. Claims 1-11 and 18-23 are presented for examination.

Claim Rejections - 35 USC § 102

3. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

> A person shall be entitled to a patent unless –
>
> (e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

4. Claims 1-3 and 6 are rejected under 35 U.S.C. 102(e) as being anticipated by Hermann et al. (US 6,633,757).

5. As to claim 1, Hermann discloses the invention as claimed, including a method of discovering local devices or services (col. 1, lines 5-11, "determine whether some other device which provides a certain service is adjacency of the first device") comprising:

associating at least one unique identifier with at least one location (fig. 6; col. 14, lines 3-15), said at least one unique identifier including a first unique identifier (fig. 6; col. 14, lines 3-15, "the identifier might either be a device ID of the service-providing device, a set of beacon IDs or in case of a composite service at least the respective ID of the endpoint of the service-chain");

associating one or more devices including a first device (a service-providing device) with said first unique identifier based upon said first unique identifier acquired by said first device at a location associated with said first unique identifier (col. 4, lines 53-64);

providing an indication of a plurality of devices and services that are associated with said first unique identifier (col. 4, lines 53-64, "information services and associated identifier, and a list of identifiers about service-providing devices"), such that a second device (service-consuming device, fig. 1; col. 14, lines 55-63) associated with said first unique identifier is made aware of other devices including said first device that are available for use and are associated with said first unique identifier (col. 4, lines 53-64, "a service offered by a service-providing device which is within the same wireless local network"; col. 6, lines 35-51; col. 7, lines 28-61; col. 9, lines 7-31).

6. As to claim 2, Hermann discloses wherein associating said one or more devices

comprise associating multiple devices with said at least one unique identifier (fig. 6; col. 14, lines 3-15, "the identifier might either be a device ID of the service-providing device, a set of beacon IDs or in case of a composite service at least the respective ID of the endpoint of the service-chain").

7. As to claim 3, Hermann discloses said associating multiple devices with said at least one unique identifier comprises associating multiple different devices with said at least one unique identifier (fig. 6; col. 14, lines 3-15, "the identifier might either be a device ID of the service-providing device, a set of beacon IDs or in case of a composite service at least the respective ID of the endpoint of the service-chain").

8. As to claim 6, Hermann discloses wherein said acts of receiving and replying are accomplished via the Internet (col. 3, lines 1-52, "Internet").

9. Claims 9-11 and 18-23 are rejected under 35 U.S.C. 102(e) as being anticipated by Liming (US 2002/0055924).

10. As to claim 9, Liming discloses the invention as claimed, including associating multiple unique identifiers including a first unique location with multiple related locations, each related location having a unique identifier (figs. 4-9,12-13);

receiving a report that a first client device has acquired a first unique identifier corresponding to particular location, the first client device being located at the particular

location (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

associating one or more devices including a second device with one or more of the unique identifiers based on reports received from said one or more devices regarding acquisition of said one or more of the unique identifiers, the second device being accessible from the particular location that corresponds to the first unique identifier (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

receiving a message from the first client device that contains a unique identifier of one or more of the locations including the first unique identifier (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

ascertaining from said unique identifier any devices that are associated with a location that corresponds to said unique identifier (page 6, 0075, 0078; page 10, 0123-0124); and

replying to said first client device with a list of available devices including the second device for the location, wherein said available devices on the list reported acquisition of said unique identifier (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127; page 13, 0158).

11. As to claim 10, Liming discloses wherein said acts of receiving and replying are accomplished via a network (202, fig. 1).

12. As to claim 11, Liming discloses wherein said acts of receiving and replying

are accomplished via the Internet (202, fig. 1).

13. As to claim 18, it is rejected for the same reasons set forth in claim 9 above. In addition, Liming discloses a method of discovering local devices comprising:

acquiring a unique identifier that is associated with a location for which corresponding devices including a first device and a second device are desired to be discovered (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

sending a message from the first device containing the unique identifier over a network and to an entity from which the devices can be discovered (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127);

receiving a reply from the entity, the reply containing for the location including the second device, wherein the devices acquired the unique identifier at the location and reported acquisition of the unique identifier to the entity (figs. 4-9, 12-13; page 2, 0014-0017; page 6, 0082-0084; page 10, 0125-0127; page 13, 0158).

14. As to claim 19, Liming discloses wherein said acquiring comprises receiving manually entered data comprising the unique identifier (page 5, 0066, "from automatic to manual").

15. As to claim 20, Liming discloses wherein said acquiring comprises automatically entered data comprising the unique identifier (page 5, 0066, "default

automatic mode").

16. As to claim 21, Liming discloses wherein said acts of sending and receiving comprises doing so via the Internet (202, fig. 1).

17. As to claim 22, it is rejected for the same reasons set forth in claim 18 above. In addition, Liming discloses one or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processors (page 10, 0125; page 14, 0172).

18. As to claim 23, Liming discloses a client device embodying the one or more computer-readable media (page 10, 0125; page 14, 0172).

Claim Rejections - 35 USC § 103

19. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

> (a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negatived by the manner in which the invention was made.

20. Claims 4, 5, 7 and 8 are rejected under 35 U.S.C. 103(a) as being unpatentable over Hermann et al. (US 6,633,757), in view of Parupudi et al. (US 2002/0122055).

21. As to claim 4, Hermann discloses wherein said providing comprises:

receiving a message containing at least one unique identifier (fig. 7; col. 7, lines 28-34; col. 13, lines 10-19; col. 15, lines 10-27);

ascertaining said one or more devices or services based upon said at least one unique identifier (col. 11, lines 63-67); and

sending a message with a list of available devices or services for a location corresponding to said at least one unique identifier (fig. 7; col. 7, lines 28-34; col. 13, lines 10-19; col. 15, lines 10-27).

22. Hermann does not specifically disclose replying to a sender of the message. Parupudi discloses replying to a sender of the message (figs. 9, 14; page 12, 0126, "step 906 then supplies the applications with at least some information that pertains to the current device location"; page 15, 0152-0154). It would have been obvious to one of ordinary skill in the art at that time of the invention was made to combine the teachings of Hermann and Parupudi because Parupudi's replying to the sender of the message would allow the server to respond to message that the sender looks for any services that are associated with the unique identifier of the device's current location (Parupudi, page 15, 0154).

23. As to claim 5, Hermann discloses wherein said acts of receiving and replying are accomplished via a network (col. 3, lines 1-52, "network").

24. As to claim 7, it is rejected for the same reasons set forth in claim 1 above. In

addition, Hermann discloses one or more computer-readable media having computer-readable instructions thereon which, when executed by one or more processors (col. 17, claim 38);

receiving a message containing at least one unique identifier (fig. 7; col. 7, lines 28-34; col. 13, lines 10-19; col. 15, lines 10-27);

ascertaining said one or more devices or services based upon said at least one unique identifier (col. 11, lines 63-67); and

sending a message with a list of available devices or services for a location corresponding to said at least one unique identifier (fig. 7; col. 7, lines 28-34; col. 13, lines 10-19; col. 15, lines 10-27).

25. Hermann does not specifically disclose replying to a sender of the message. Parupudi discloses replying to a sender of the message (figs. 9, 14; page 12, 0126, "step 906 then supplies the applications with at least some information that pertains to the current device location"; page 15, 0152-0154). It would have been obvious to one of ordinary skill in the art at that time of the invention was made to combine the teachings of Hermann and Parupudi because Parupudi's replying to the sender of the message would allow the server to respond to message that the sender looks for any services that are associated with the unique identifier of the device's current location (Parupudi, page 15, 0154).

26. As to claim 8, Hermann discloses a server embodying the one or more computer-

readable media (col. 17, claim 38).

Conclusion

27. Applicant's arguments with respect to claims 1-11 and 18-23 have been considered but are moot in view of the new ground(s) of rejection.

28. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Jungwon Chang whose telephone number is 571-272-3960. The examiner can normally be reached on 9:30-6:00 (Monday-Friday).

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, John A Follansbee can be reached on 571-272-3964. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information

system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

Jungwon Chang
Primary Examiner
August 7, 2006